



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAR 10 2000

DOT-E 5945
(FOURTH REVISION)

EXPIRATION DATE: February 28, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Liquide America Corporation
Houston, TX
2. PURPOSE AND LIMITATION: This exemption authorizes the use of a small capacity insulated portable tank for the transportation in commerce of carbon dioxide, refrigerated liquid, subject to the limitations and special requirements specified herein. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.315 in that a non-DOT specification portable tank is not authorized.
5. BASIS: This exemption is based on the application of Air Liquide America Corporation dated February 28, 2000, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Carbon dioxide, refrigerated liquid	2.2	UN2187	N/A

MAR 10 2000

7. PACKAGING AND SAFETY CONTROL MEASURES:

PACKAGING - Packaging prescribed is a 825 pound water capacity portable tank mounted on wheels having an inner tank made of SA 515 Gr 70 steel with a design pressure of 363 psi, an insulation of polyurethane foamed in place, and an outer jacket of SA 515 Gr 70 steel or reinforced fiber glass. Each tank must be designed and constructed to ASME Code (and so marked) and § 178.245 (DOT Specification 51 portable tanks) except that the tank's water capacity is less than 1,000 pounds and is not marked "DOT Specification 51." Each tank must be protected by at least one safety relief valve set at 357 psi.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. The tank wheels must be rendered inoperative during transportation.

d. Before transportation in an empty condition, each tank must be emptied of liquid content. In addition, the vapor pressure must be so reduced as to avoid the possibility of venting en route.

e. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of § 173.22a.

f. MARKING - Each portable tank must be marked "DOT-E 5945" on the nameplate in place of the DOT Specification number.

g. Packages specified herein marked "DOT SP 5945" prior to April 30, 1976, may be transported under the terms of this exemption.

MAR 10 2000

Continuation of DOT-E 5945 (4th Rev.)

Page 3

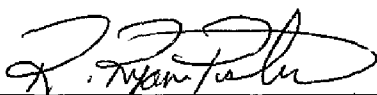
- h. TESTING - Each portable tank must be reinspected and retested in accordance with § 173.32(e) as prescribed for DOT Specification 51 portable tanks.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: This exemption imposes no additional modal specific requirements.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



for Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety

MAR 10 2000

(DATE)

MAR 10 2000

Continuation of DOT-E 5945 (4th Rev.)

Page 4

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FHWA
PO: alb